

1 UNITED STATES DISTRICT COURT
2 DISTRICT OF NEVADA

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4
5 WILL SITTON,

6 Plaintiff,

7 vs.

8 LAS VEGAS METROPOLITAN POLICE
9 DEPARTMENT, *et al.*,

10 Defendants.

2:17-cv-00111-JCM-VCF

ORDER

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12 Before the Court is Plaintiff's Motion to Reissue Summons (ECF NO. 85).

13 On January 29, 2018, the Court reissued Summons to Las Vegas Review Journal (ECF NO. 52)
14 and the clerk's office delivered the Summons to the U.S. Marshal for service. Plaintiff filed a Notice of
15 Service and Non Service of Process stating that the U.S. Marshal was not able to effectuate service on the
16 Las Vegas Review Journal. (ECF NO. 72). Plaintiff now seeks the Court to reissue Summons on
17 Defendant Las Vegas Review Journal. (ECF NO. 85).

18 Plaintiff has given sufficient to grant the instant motion.

19 Under LR 7-2(d), the failure of an opposing party to file points and authorities in response to any
20 motion, except a motion under Fed. R. Civ. P. 56 or a motion for attorney's fees, constitutes a consent to
21 the granting of the motion. No opposition has been filed. Here, it would seem as though defendants have
22 consented to the granting of the instant motion.

23 Accordingly,

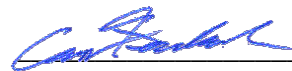
24 IT IS HEREBY ORDERED that Plaintiff's Motion to Reissue Summons (ECF NO. 85) is
25 GRANTED.

1 IT IS FURTHER ORDERED that Clerk of Court must reissue Summons on the Las Vegas Review
2 Journal, and deliver same to the U.S. Marshal for service. The clerk is directed to mail to plaintiff the
3 USM-285 form. The clerk is directed to send copy of the Complaint, Summons, and copy of this order to
4 the U.S. Marshal for service on Defendant Las Vegas Review Journal. Plaintiff has thirty (30) days within
5 which to furnish to the U.S. Marshal the required USM-285 form with relevant information as to the Las
6 Vegas Review Journal.

7 Within twenty (20) days after plaintiff receives copy of the completed USM-285 form from the
8 U.S. Marshal, plaintiff must file a notice with the court stating if defendant was served. If the plaintiff
9 wishes to have the U.S. Marshal attempt service again on defendant, then a motion must be filed with the
10 court.

11 IT IS FURTHER ORDERED that the time to effectuate service on Defendant Las Vegas Review
12 Journal is extended to August 10, 2018.

13 DATED this 25th day of May, 2018.



14 CAM FERENBACH
15 UNITED STATES MAGISTRATE JUDGE
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